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**Inquiry Concerning a Judge: David M. Gooding**

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MARSHAL: PLEA SE R ISE . ALL WHO HAVE CAUSE TO PLE A, DRAW NEAR, GIVE ATTENTIO N AND YOU SHALL BE HEARD. GOD SAVE THESE UNITED STAT ES , THE GREAT STATE OF FLORIDA AND THIS HONORABLE COURT. LADIES AND GENTLEMEN, THE FLORIDA SUPREME COURT.PLEASE BE SEATED.

CHIEF JUSTICE: G OOD MORNING , LA DIES ANDGENTLEMEN, AND WELCOME T O THE FLORIDA SUPREME COURT. THE FI RST MATTER ON THIS MORNING'S DOCK ET I S THE INQUIRY CONCERNING A JUDGE. JUDGE DAVID GO ODING . JUDGE GOODI NG, WOULD YOU PLEASE APPROACH THE PODIUM. JUDGE GOODING, FLORIDA'S CONSTITUTION ENTRUSTS THIS COURT WITH THE DUTY TO DISCIPLINE THOSE MEMBERS OF OUR JUDICIARY, WHO H AVE FAILED TO UP HOLD THE HIGHEST ETHICAL STANDARDS REQUIR ED OF THEM . THIS DU TY , A S I HAVE SAID , OFTENTIMES IS VITALLY NECESSARY TO MAIN TAIN PUBLI C TRUST AND CONFIDENCE IN OUR JUSTICE SYSTEM. JUDGE GOODING, YOU ARE H ERE BEFORE THE CO URT THIS MORNING , TO BE REPRIMANDED FOR ETHICAL MISCONDUCT RELATED TO YOUR 2002 ELECTION COMPAI N FOR JUDICIAL OFFICE. THESE CHARGES AR ISE F ROM YOUR HANDLING OF YOUR CAMPAIGN FINANCES AND CAMPAIGN AC COUNT DU RING YOUR SUCCESSFUL CAM PAIGN FOR THE CIRCUIT COURT JUDGES HIP THAT YOU NOW HOLD . THE JUD ICIAL QUALIFICATION COMMISSION HAS CHARGED AND YOU ADMITTED THAT , ONE , DURING THE CAMPAI GN, YOU INCURRED CAMPAIGN EXPENSES AT A T IME W HEN YOUR CAMP AIGN ACCOUNT DID NOT HAVE SUFFICIENT FUNDS TO COVER THOSE EXPENSES , AND, TWO , THAT AFTER THE CAMPAIGN , YOU LOANED TO YOUR CAMPAIGN , SUBSTANTIAL SUMS AND DEPOSITED SUCH FUN DS IN YOUR CAMPAIGN AC COUNT AFTER THE DEADLINE FOR DEPOSITING MONEY INTO THE ACCOUNT. YOU STIP ULATED AND THE COURT FOUND, THAT YOUR A C TIONS VIOLATED TWO SECTIONS OF THE FLORIDA E LECTION CO DE , 106.08 AND 106.11 , AND TH REE SEPARATE CANONS OF CODE OF JUDICIAL CONDUCT , INCL UDING CANON 7 , WH ICH GO VERNS JUDICIAL ELEC TIONS . SECTION 106.08-3 , PRO HIBITSA CANDIDATE FROM ACCEPTING AND USING CONTRIBUTIONS RECEIVED LESS THAN FIVE DAYS PRIOR TO THE ELECTION , AND SECTION 106.11-3 PROHIBITS A CANDIDATE FROM INCUR ING CAMPAIGN EXPENSES IN EXCESS OF DEPOSI TS IN THEIR CAMPAIGN ACCO UNTS . CANON 7- E PROVIDES THAT A SUCCESSFUL CANDIDATE FOR JUDICIAL OFFICE IS SUBJECT TO JUDICIAL DISCIP LINE FOR HIS OR HER CAMPAIGN COND UCT . THESE CAMPAIGN VIOLATIONS ILLUSTRATE THE POTEN TIAL PITFALLS OF OUR SYS TEM OF CONTESTED ELECTIONS FOR POSITIONS IN OUR T RIAL COURTS. WE WILL N EVER K NO W WH ETHER YOUR ELECTION VIOL ATIONS CONTRIBUTED TO THE SUCCESS OF YOUR CAMPAIGN TO BE COME A JUDGE , BUT THE FACT THAT YOU COMMITTED ELECTION VIOLATIONS WHILE CAMPAIGNINGTO BECOME A JUDGE , IS MISCONDUCT THAT THIS COURT DOES NO T AND WILL NOT TOLERATE. AN ELECTION FOR A JUDG ESHIP IS NOT JUST LI KE AN ORDINARY ELECTION IN SO MA NY WA YS. AND, OF COURSE, WE ALL KNOW THE ENDS CAN NEVER JUSTIFY THE MEANS , AND THIS IS ESPECIALLY SO WHEN LAWYERS SEEK TO BE ELECTED TO THE POSITION OF JUDGE. UNFORTUNATE LY, THE V ERY PRACTICE OF ELECTING JUDGES HAS THE POTENTIAL TO UNDERMINE PUBLIC CONFIDENCE IN THE IMPA RTIAL JUDICIARY . YET IN THIS STATE , WE P RIDEOURSELVES ON BEING A BLE TO MAINTAIN A SYSTEM OF ELECTED AND APPOINTED JUDGES, TRIAL JUDGES, WHILE STILL DEMANDING THAT THOSE W HOSEEK ELECTION FOR JUDGES CONDUCT THEMSELVES WITH DIGNITY AND RE SPECT FOR THE POSITION THEY ARE SE EKing . AT THE VERY L EAST , WE MUST EXPECT AND DE MAND S T RICT ADHERENCE TO THE ELECTION STATUTES AND RE QUIRE JUD GETO SAY VIOLATE THESE STATUTES TO BE ACCOUNTABLE FOR

THEIR MISCONDUCT . THE AMERICAN JUSTICE SYSTEM REQUIRES AN INDEPENDENT , IMPARTIAL AND COMPETENT JUDICIARY TO UPHOLD THE RULE OF LAW. THE INDEPENDENCE OF THE JUDICIARY AND THE PUBLIC'S TRUST AND CONFIDENCE IN THE JUDICIARY, ARE OBLIGATIONS OF ALL JUDGES , WHETHER ELECTED OR POINTED . AND THAT IS WHY CANON ONE, THE VERY FIRST CODE OF THE JUDICIAL CONDUCT, REQUIRES JUDGES TO UPHOLD THE HIGHEST STANDARDS OF JUDICIAL CONDUCT, SO THAT THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY MAY BE PRESERVED, AND CANON TWO REQUIRES JUDGES, BOTH TO RESPECT AND COMPLY WITH THE LAW AND TO ACT AT ALL TIMES IN A MANNER THAT PROMOTES PUBLIC CONFIDENCE IN THE INTEGRITY AND IMPARTIALITY OF THE JUDICIARY. YOU VIOLATED BOTH OF THESE CANONS. OF COURSE, WHEN A JUDGE, THROUGH HIS MISCONDUCT , VIOLATES THAT TRUST , HE OR SHE IS NOT THE ONLY ONE WHO SUFFERS THE CONSEQUENCES . THE ENTIRE JUSTICE SYSTEM IS HARMED BY THE BREACH . ALTHOUGH THE HARM CAUSED BY YOUR MISCONDUCT CAN NOT BE UNDONE , AND THE JUDICIAL QUALIFICATIONS COMMISSION HAS NOT RECOMMENDED YOUR REMOVAL , WE HOPE THAT , THROUGH THIS PUBLIC PROCEEDING, WHICH IS BROADCAST LIVE AND ON THE INTERNET, WE CAN ASSURE THE PEOPLE OF THIS STATE , THAT THIS COURT TAKES THE MISCONDUCT OF JUDGES PARTICULARLY MISCONDUCT RELATED TO ELECTION VIOLATIONS , VERY SERIOUSLY . JUDGE GOODING, TO YOUR CREDIT, YOU HAVE, BOTH , ACKNOWLEDGED AND ACCEPTED RESPONSIBILITY FOR THIS MISCONDUCT, AND YOU HAVE EXPRESSED REGRET FOR YOUR ACTIONS. WE EXPECT THAT, IN THE FUTURE, THAT YOU WILL GIVE SERIOUS CONSIDERATION TO YOUR ETHICAL RESPONSIBILITIES AS A -- ETHICAL RESPONSIBILITIES AS A JUDGE AND THE NEGATIVE IMPACT YOUR ACTIONS HAVE HAD , NOT ONLY ON YOU BUT ON THE JUDICIARY AS A WHOLE. FURTHER, WE ADVISE YOU TO REMEMBER THAT THIS COURT WILL TREAT A SECOND ETHICAL BREACH FAR MORE SEVERELY . JUDGE GOODING , YOUR PUBLIC REPRIMAND IS NOW CONCLUDED, AND YOU MAY LEAVE.